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Docket No. BAG:06090-D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kreutz, et al. ) Examiner: Dawson, G.  
Serial Number: 09/955,253 ) Group Art Unit: 3761  
Appliance For Plucking Hairs out of Human Skin ) Filed: September 18, 2001

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Date of Deposit: December 10, 2003

I certify that this document and those referenced herein are  
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22313-1450 on the date shown above

*Chancie Morris*

**SECOND INFORMATION DISCLOSURE CITATION UNDER 37 C.F.R. §1.97**

Applicants have submitted herewith for the Examiner's consideration copies of the references identified in the attached form PTO-1449. Applicants respectfully request that the Examiner carefully review all of the submitted references and kindly make them of record by initialing the PTO-1449. This submission is made in good faith to comply with the obligation to disclose material information under 37 C.F.R. §1.56 and should not be construed as an admission that the references submitted are relevant or are prior art.

In order to correct a transposition of a digit on the previous Form 1449, Applicants resubmit EP 532 106 A1 and list it on the present Form 1449; Examiner has already seen this reference, which was submitted with the First I.D.S. and has made it of record, but there was a typographical error listing its number at space "AM" on the First Form 1449.

European EP 671 136 A1 (Rosson et al.), published September 13, 1995, is not believed to be prior art with respect to Applicants' German priority application 195 21 585, filed June 14, 1995 disclosing the portion that is Figures 1-9 and the corresponding text thereto of the present application (which was filed from a continuation of a PCT Int'l. application) and any claims supported thereby. A certified copy of Applicants' priority application is already of record in the grandparent application, U.S. Ser. No. 08/996,991 (now issued as U.S. Patent 6,083,233 to Kreutz et al.). This EP '136 is in French, and an English language Derwent abstract is provided. As the undersigned understands EP 671 136, as seen in the abstract and in Figures 1, 4-5, it appears to disclose a rotary epilation head having bristles 7 and stationary pins 9 in advance of the clamping elements 3,4, as seen in the

direction of rotation R. Text passages describing this appear to be at col. 3, line 51 to col. 4, line 17. As indicated at col. 3, ln. 51-58, the pins become progressively wider in the direction of rotation R to define a tapered channel feeding hairs to the clamping elements, which is seen in the figures. The surface smooth cylindrical surfaces 5, 5A can have a friction-reducing coating such as PTFE or felt, or have a Peltier element to produce a cooling of the surfaces to attenuate a discomfort of plucking the hairs (cf. col. 4, ln. 1-7). As seen in Fig. 4, the stationary pins 9 fill out the virtual cylindrical surface 10 as a transition between bristles 7, smooth surfaces 5, 5A and the clamping plates 3 where there would otherwise be an abrupt drop-off due to the depressed gap 6, and it is indicated that the stationary pins 9 balance the rotary head 2 to prevent an otherwise abrupt depressed elongate gap 6 and incidentally rub the skin to attenuate discomfort (appears at col. 4, ln. 14-17).

EP 442 419 is in the French language, an English abstract is enclosed, and the document states at col. 2, lines 47-52, that teeth 13 are made of DELRIN polyacetal homopolymer. A description of the operation appears to be in the text at columns 2 and 3. As the undersigned understands from the abstract and drawings, the motor 2 rotates the cover 8 containing depilation member 4 having six plucking units 12 against the surfaces of three stationary cams 7 to cause the plucking units 12 that move along the skin to sequentially pinch hairs and pull them from the skin during rotation so that depilation is more gentle on the skin.

European EP 467 733 A1 (Oliveau et al.) is in French and an English abstract is provided. EP '733 has, as shown in Figure 4, tufts of hair-straightening bristles (20) to help feed hair 28 into the pinching plates to increase plucking efficiency, and is seen as cumulative with the below reference EP 596 283 A1 (and abstract), with which Examiner is already familiar (e.g., straightening bristle roller 800 therein).

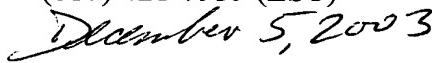
European EP 596 283 A1 is in the German language, and an abstract in English is enclosed. The EP '283 discloses a hair straightening device 800, 801 on the periphery of the depilation cylinder for lifting hairs prior to plucking, which appears to be described at column 11, line 53 to the end of the text.

For each of JP 7-289349 and JP 7-143910, and English-language Patent Abstracts of Japan is enclosed along with a partial English translation, which form the basis of the undersigned's understanding of these documents. The basic operating principle of the depilation members of the '910 and '349 documents appear similar to that disclosed in the reference EP 622 033 A2 (e.g. Fig. 8; Fig. 22, respectively), which is in the English language. The '910 document, as indicated in the partial translation, has a roller (3990) that performs a rolling function. The '349 document discloses a rotary depilation member (4, 41, 42, 45) shaped to conform to concave body surfaces such as the armpit or back of knee or elbow.

French 2 690 820 and 2 690 819, are in the French language, and English abstracts are enclosed on which the undersigned's understanding is based. These documents show a sheet metal grill 27 covering the depilation rollers. The text appears to refer to Fig. 2 at page 6, line 36 through page 7, line 30, which appears to indicate at page 7, line 17 that the grill permits entry of hair but prevents accidental entry of skin that would be pinched by the rollers.

No fee is believed due for this submission since it is being made after the filing of an RCE Request and prior to the mailing of a first office action on the merits. If a fee is due, however, the Commissioner is hereby authorized to charge any fees which may be required by this paper, or credit any overpayment, to Deposit Account Account No. 07-1350.

Respectfully submitted,

  
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